

# Hearing Officer Transmittal Checklist

Hearing Date  
1/21/2014  
Agenda Item No.  
TBD

**Project Number:** R2013-02145 (2)  
**Case(s):** Conditional Use Permit No. 201300110  
**Planner:** Jarod Nygren

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation
- ☒ Correspondence
- ☐ Photo Simulations
- ☐ Aerial Image(s)
- ☐ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Site photographs

**Reviewed By:** 



Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**PROJECT NUMBER**

R2013-02145-(2)

**HEARING DATE**

1/21/2014

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 201300110

## PROJECT SUMMARY

**OWNER / APPLICANT**

Jesse Guardado

**MAP/EXHIBIT DATE**

7/31/2013

**PROJECT OVERVIEW**

A conditional use permit request to authorize the continued sale of beer and wine for on-site consumption at an existing restaurant (El Corita Jr. Restaurant). CUP 01-045, which permitted the sale of beer and wine at the restaurant expired on January 9, 2012. No expansion of the restaurant or the operating hours is proposed.

**LOCATION**

6606 South Central Avenue

**ACCESS**

Central Avenue

**ASSESSORS PARCEL NUMBER(S)**

6010-005-003

**SITE AREA**

4,000 square feet

**GENERAL PLAN / LOCAL PLAN**

General Plan

**ZONED DISTRICT**

Compton-Florence

**LAND USE DESIGNATION**

I - Major Industrial

**ZONE**

M-1 (Light Manufacturing)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

Florence-Firestone

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.56.195 (Alcoholic Beverages Sales Burden of Proof Requirements)

**CASE PLANNER:**

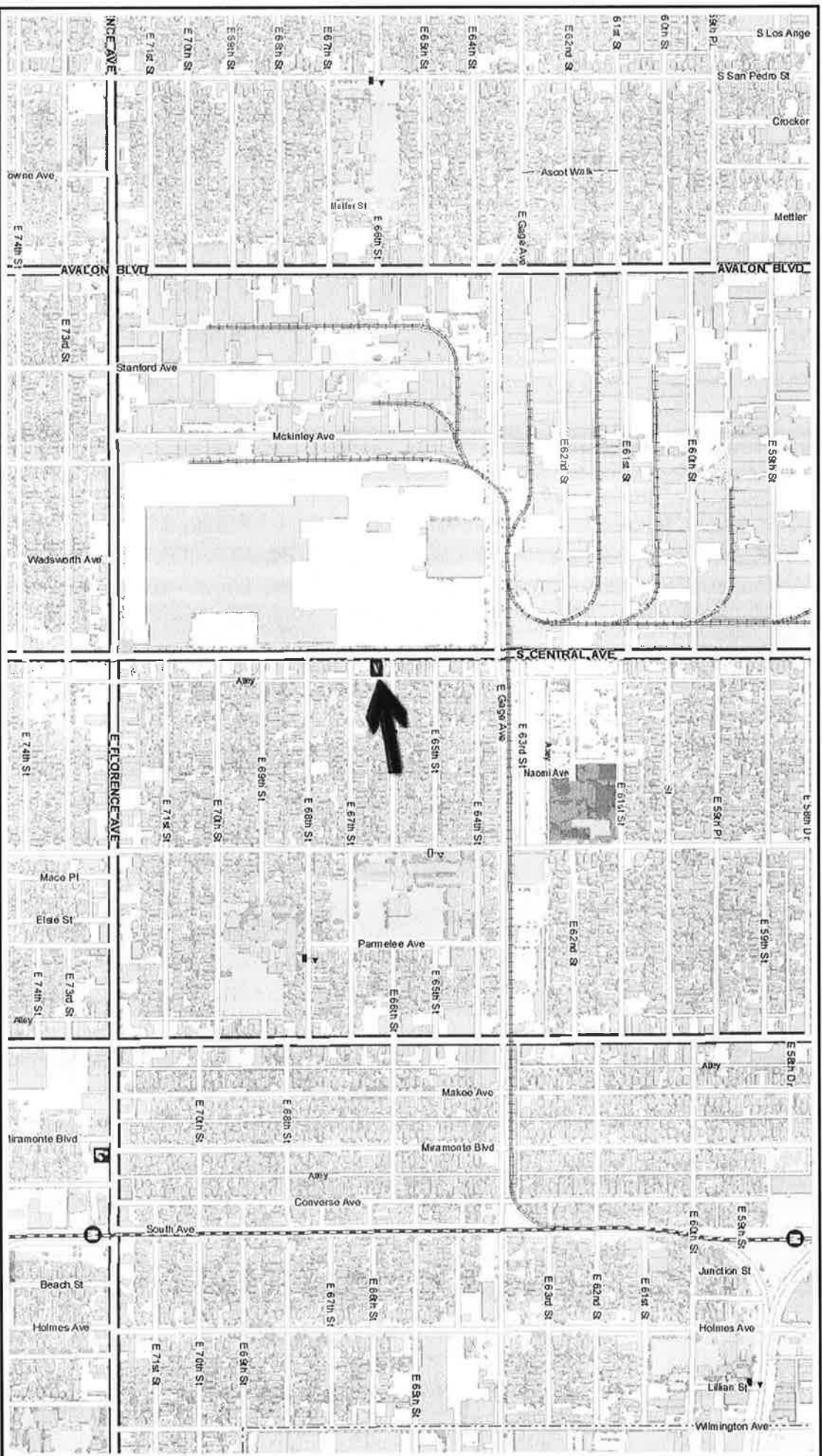
Jarod Nygren

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(213) 974 - 6462

**E-MAIL ADDRESS:**

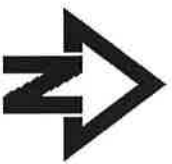
jnygren@planning.lacounty.gov



**Department of Regional Planning**  
**6606 Central Avenue**

Printed: Dec 10, 2013

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A vertical scale bar labeled "Feet" with markings at 0 and 2,000.



### **ENTITLEMENT REQUESTED**

A conditional use permit (CUP) to authorize the continued sale of beer and wine for on-site consumption in an M-1 Zone pursuant to County Code Section 22.32.070.

### **PROJECT DESCRIPTION**

The applicant requests a CUP to continue the sale of beer and wine for on-site consumption at the El Corita Jr. Restaurant. CUP 01-045, which permitted the sale of beer and wine at the restaurant expired on January 9, 2012. No expansion of the restaurant or the operating hours is proposed.

### **EXISTING ZONING**

The property is zoned M-1 (Light Manufacturing).

Surrounding properties within 500 feet are zoned M-1 to the north and south. East of the subject property is zone R-3 (Limited Multiple Residence Zone) and west of the property is the City of Los Angeles.

### **EXISTING LAND USES**

The subject property is developed with an existing restaurant. Surrounding land uses within 500 feet of the subject property consist of single-family and multi-family residences to the east, auto parts and repair shop to the north, restaurant to the south and a large U.S. Post Office distribution center to the west.

### **ENVIRONMENTAL DETERMINATION**

Pursuant to the provisions of the California Environmental Quality Act (CEQA) this project qualifies for a Class 1 Categorical Exemption – Existing Facilities – that consists of the operation, repair maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

### **STAFF EVALUATION**

#### General Plan Consistency

The property is subject to the Major Industrial land use category of the Los Angeles County General Plan. The intent of this land use category is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both the domestic and export markets and providing jobs for a large portion of the resident labor force. The restaurant is located in an area that is designated for industrial use; however, a majority of the area is now a mix of commercial, light industrial and residential uses. The sale of beer and wine at a restaurant that serves the residents and labor force in the area is consistent with this land use policy.

#### Zoning Ordinance and Development Standards Compliance

The proposed project is located in the M-1 zone. Pursuant to Section 22.32.070 of the County Code, beer and wine for on-site consumption requires a CUP subject to the

requirements of Section 22.56.195. According to Building and Safety records the restaurant was constructed in 1952, prior to the current parking and landscaping requirements. The building became nonconforming due to standards after zoning requirements enacted the parking and landscaping standards in the late 1950's. Pursuant to section 22.56.1510 of the County Code, a building that is nonconforming due to standards may be occupied by any use that is permitted in the zone subject to the conditions governing such use.

Site Visit

Staff conducted a site visit on October 24, 2013 and the premises appeared to be well maintained

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 and 22.56.195 of the County Code. The Burdens of Proof with applicant's responses are attached. Staff is of the opinion that the applicant has met the burdens of proof.

Neighborhood Impact/Land Use Compatibility

The sale of beer and wine for on-site consumption was previously approved by CUP 01-045 on November 7, 2001. The CUP expired on January 9, 2012 necessitating the new CUP. There have not been any public complaints during the lifespan of the current CUP. The applicant is not requesting any additional development, alcohol sales, or hours of operation as part of this CUP application. The restaurant is a well-maintained, upscale establishment that enhances the surrounding neighborhood, and there are no other similar restaurants in the vicinity. The continued sale of beer and wine for onsite consumption at the existing restaurant will not adversely affect the surrounding uses.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

SHERIFF DEPARTMENT

The County Sheriff Department was consulted and indicated that there have been four calls for service at the subject property within the past five years. Three of the calls were routine in nature and the other was violence towards a police officer in 2008. There have been no recent problems at the location and the Sheriff recommends approval of this CUP.

**OTHER AGENCY COMMENTS AND RECOMMENDATIONS**

State Department of Alcoholic Beverage Control

The restaurant is being operated with a Type 41 license, which allows for the on-site sale of beer and wine at the restaurant. ABC's website indicates that there are no current disciplinary actions and no disciplinary history on the subject property. ABC's website also indicates that 10 licenses can be issued within census tract 5329, in which the restaurant is located. 9 licenses have been issued for the subject census tract; therefore, there is not an undue concentration of alcohol sales in the area.

#### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of County Code Sections 22.60.174 and 22.60.175, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and Department of Regional Planning (DRP) website posting.

#### **PUBLIC COMMENTS**

No public comments have been received at this time.

#### **FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

#### **STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the hearing.

Staff recommends **APPROVAL** of Conditional Use Permit No. 201300110, subject to the attached conditions.

#### **SUGGESTED APPROVAL MOTIONS**

<p><b>I MOVE THAT THE REGIONAL PLANNING COMMISSION FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT AND APPROVE CONDITIONAL USE PERMIT NUMBER 201300110 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.</b></p>
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Prepared by Jarod Nygren, Senior Regional Planner, Zoning Permits West Section  
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

12/4/13  
MKK:JN

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-02145-(2)  
CONDITIONAL USE PERMIT NO. 201300110**

1. **ENTITLEMENT REQUESTED.** The applicant is requesting a conditional use permit (CUP) to authorize the continued sale of beer and wine for on-site consumption in an M-1 Zone pursuant to County Code Section 22.32.070.
2. **HEARING DATE.** January 21, 2014
3. **PROJECT DESCRIPTION.** The applicant requests a new CUP to replace CUP No. 01-045, which authorized the sale of beer and wine for on-site consumption at an existing restaurant (El Corita Jr. Restaurant) for 10 years. This CUP expired on January 9, 2012. No expansion of the restaurant or the operating hours is proposed.
4. **LOCATION.** 6606 South Central Avenue, within the Compton-Florence Zoned District and the Florence-Firestone Community Standards District (CSD).
5. **SITE PLAN DESCRIPTION.** The site plan depicts a 4,000 square feet rectangular parcel developed with a 1,335 square feet restaurant fronting South Central Avenue. The parking lot is behind the restaurant and is accessed through the alley way connecting East 66<sup>th</sup> Street and East 67<sup>th</sup> Street. The site plan shows one handicapped and six standard parking spaces. The parking lot opens to the alleyway located on the east end of the property.
6. **EXISTING ZONING.** The property is zoned M-1 (Light Manufacturing). Surrounding zoning consists of M-1 to the north and south. East of the subject property is zone R-3 (Limited Multiple Residence Zone) and west of the property is the City of Los Angeles.
7. **EXISTING LAND USES.** The subject property is developed with an existing restaurant. Surrounding land uses consist of single-family and multi-family residences to the east, auto parts and repair shop to the north, restaurant to the south and a large U.S. Post Office distribution center to the west.
8. **PREVIOUS CASES/ZONING HISTORY.** On November 27, 1987, Plot Plan 27148 was approved for a 157 square feet addition to the existing eating establishment as well as for paving of the parking area. As part of the approval, the applicant provided four parking spaces. CUP No. 01-045-(2) was approved on November 7, 2001 and authorized the sale of beer and wine for on-site consumption.
9. **GENERAL PLAN CONSISTENCY.** The project site is classified as Major Industrial (I) under the Los Angeles County General Plan. The intent of this land use category is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both the domestic and export markets and

providing jobs for a large portion of the resident labor force. The restaurant is located in an area that is designated for industrial use; however, a majority of the area is now a mix of commercial, light industrial and residential uses. The sale of beer and wine at a restaurant that serves the residents and labor force in the area is consistent with this land use policy.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The project meets the M-1 Zone development standards in Section 22.32.080 as follows:

- Since the property is utilized as a restaurant and does not have any outside storage, it is not subject to the provisions as set forth in Part 7 of Chapter 22.52.
- The existing signage complies with the provisions of Part 10 of Chapter 22.52.

In addition to the above mentioned development standards the restaurant is subject to additional parking and landscaping standards. Section 22.52.1060 requires that a minimum of 10 percent net lot area be landscaped and section 22.52.1110 requires a minimum of 15 parking spaces for the restaurant, which has an occupant load of 45. According to Building and Safety records the restaurant was constructed in 1952, prior to the current parking and landscaping requirements. The building became nonconforming due to standards after zoning requirements enacted the parking and landscaping standards in the late 1950's. Pursuant to section 22.56.1510 of the County Code, a building that is nonconforming due to standards may be occupied by any use that is permitted in the zone subject to the conditions governing such use.

Pursuant to Section 22.44.138 of the County Code, establishments in the Florence-Firestone CSD are subject to the following development standards:

- **Graffiti.** All structures, walls, and fences that are publicly visible shall remain free of graffiti. Any property owner, lessee, or other person responsible for the maintenance of a property shall remove graffiti within 72 hours of receiving written notice from a zoning enforcement officer that graffiti exists on the property. Paint used to cover graffiti shall match, as near as possible, the color of the surrounding surfaces.
- **Maintenance.** Any areas of property that are publicly visible, including front yards, front sidewalks, and rear alleys, shall remain free of trash and other debris. Storage of household appliances, such as refrigerators, stoves, freezers, and similar products, is prohibited in all yard areas.
- **Material Colors.** Black or other similar dark color shall not be used as the primary or base color for any wall or structure.

The restaurant is in compliance with the aforementioned development standards and they have been added as conditions of approval.

11. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The CUP for the sale of beer and wine for on-site consumption was previously approved by CUP 01-045 on November 7, 2001. The CUP expired on January 9, 2012 necessitating a new CUP for the continuation of use. There have not been any public complaints during the lifespan of the aforementioned CUP. The applicant is not requesting any additional development, any additional alcohol sales, or additional hours of operation as part of this CUP application. The proposed sale of beer and wine for onsite consumption at the existing restaurant will not adversely affect the surrounding uses in that the restaurant is a well-maintained upscale establishment that adds to the surrounding neighborhood, and there are no other similar restaurants in the vicinity. The restaurant is located adjacent to single-family residences. The neighboring residences are sufficiently buffered from the restaurant by the alleyway located to the east of the restaurant. The Department of Alcoholic Beverage Control (ABC) has designated 9 establishments that sell alcoholic beverages within the subject property's census tract. The ABC has indicated that the subject property is located within a high crime reporting district, but there have been no calls to the local Sheriff's station concerning the restaurant use. The continued selling of beer and wine is incidental to the existing restaurant; therefore, authorizing the continued sale of beer and wine to restaurant patrons would not adversely affect the nearby community.

12. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.**

SHERIFF DEPARTMENT

The County Sheriff Department was consulted and indicated that there have been four calls for service at the subject property within the past five years. Three of the calls were routine in nature and the other was violence towards a police officer in 2008. There have been no recent problems at the location and the Sheriff recommends approval of this CUP.

13. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.**

Alcoholic Beverage Control

The restaurant is being operated with a Type 41 license, which allows for the on-site sale of beer and wine within the restaurant. The ABC website indicates that there are no current disciplinary actions and no disciplinary history in regards to the subject property. The ABC website also indicates that 10 licenses can be issued for census tract 5329, which is where the restaurant resides. According to the ABC there are 9 licenses issued for the subject census tract; therefore there is not an undue concentration of alcohol sales in the area.

14. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

15. **PUBLIC COMMENTS.** Staff has not received any comments at this time.

**CONDITIONAL USE PERMIT SPECIFIC FINDINGS**

16. There are no sensitive uses within 600 feet of the restaurant. Therefore, the proposed sale of beer and wine for onsite consumption at the existing restaurant will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within 600-foot radius.
17. This permit will replace the existing CUP that allowed the sale of beer and wine for ten years. No additional development is being proposed and no expansion of the beer and wine license is being requested. The restaurant has been on-site since 1952. At the time the restaurant was built, it was adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features. It became nonconforming due to standards in the late 1950's, but the continuation of the site as developed is compatible with the surrounding area. An alleyway to the east of the restaurant buffers the neighboring single-family homes from the restaurant. Therefore, the requested use within the existing restaurant is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
18. The subject restaurant is consistent with the general plan definition of an industrial/commercial use: "facilities that provide neighborhood or community convenience goods and services." The restaurant has been providing goods and services to the local community since 1952 when it was constructed. At this time the restaurant is the only one in the census tract that sales beer and wine for on-site consumption. Therefore, authorizing the continued sale of beer and wine to restaurant patrons would not adversely affect the nearby community.
19. No additional development is proposed and no expansion of the beer and wine license is being requested. The sale of beer and wine is incidental to the existing restaurant. Therefore, authorizing the continued sale of beer and wine to restaurant patrons would not adversely affect the nearby community.
20. Building and Safety records indicate that the restaurant was constructed in 1952 and it has been properly maintained since that time. The restaurant is well maintained and in compliance with the Florence-Firestone development standards in regards to appearance. The exterior appearance of the restaurant is consistent with the exterior appearance of other commercial structures in the immediate area and does not cause blight, deterioration, nor substantially diminish or impair property values within the neighborhood.
21. The Major Industrial land use designation allows industry and industry-related activities serving the domestic and export markets and provides jobs for the resident labor force. The subject restaurant is consistent with the general plan definition of an industrial/commercial use: "facilities that provide neighborhood or community convenience goods and services." The restaurant has been providing

goods and services to the local community since 1952 when it was constructed. Therefore, the existing restaurant is consistent with the adopted plan for the subject property.

22. There is no change to use, operation, staffing, or improvements. The sale of beer and wine for on-site consumption is limited between the hours of 9:00 a.m. to 10:00 p.m. and the property shall be maintained in a neat and orderly condition. Therefore, the requested continuation of the selling of beer and wine for on-site consumption will not adversely affect the health, peace, welfare or comfort of persons residing or working in the surrounding area, will not be materially detrimental to use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
23. No additional alcohol sales or development is proposed as part of this application. The proposed use will continue to be fully contained within the existing 1,335 square feet restaurant and parking area. According to Building and Safety records the restaurant was constructed in 1952, prior to the current parking and landscaping requirements. The building became nonconforming due to standards after zoning requirements enacted the parking and landscaping standards in the late 1950's. Pursuant to section 22.56.1510 of the County Code, a building that is nonconforming due to standards may be occupied by any use that is permitted in the zone subject to the conditions governing such use. Therefore, the site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate the said use with the uses in the surrounding area.
24. The CUP for the sale of beer and wine for on-site consumption within the existing restaurant does not propose any new development and is adequately served by Central Avenue, which is an existing major highway. Central Avenue is of adequate width and grade to accommodate the traffic generated by the restaurant. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

## ENVIRONMENTAL DETERMINATION

25. There is no change to use, operation, staffing, or improvements. Therefore, this project qualifies for Class 1 Categorical Exemption –Existing Facilities- that consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.
26. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, staff recommends that it is necessary to limit the term of the grant to fifteen (15) years.

27. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permit West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

WITH RESPECT TO THE CONDITIONAL USE PERMIT:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

WITH RESPECT TO THE SALE OF ALCOHOL:

- E. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600 foot radius; and
- F. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. That the requested use at the proposed location will not result in an undue concentration of similar premises; and
- H. That the requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and

- I. That the exterior appearance of the structure will not be consistent with the exterior appearance of commercial structures already constructed or under construction with the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

1. The Hearing Officer has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201300110-(2) is **APPROVED**, subject to the attached conditions.

MKK:JN  
12/4/13

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-02145-(2)  
CONDITIONAL USE PERMIT NO. 201300110**

**PROJECT DESCRIPTION**

The project is a Conditional Use Permit (CUP) to allow the continuation of the sale of beer and wine for on-site consumption, subject to the following conditions of approval.

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No.10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5 and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on January 21, 2029.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new CUP application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the restaurant and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The

permittee shall deposit with the County the sum of \$1,600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight (8) biannual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

17. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
18. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
19. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PERMIT SPECIFIC CONDITIONS - SALE OF BEER AND WINE

20. There shall be no consumption of beer and wine outside the designated areas of the subject facility. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
21. The telephone numbers of local law enforcement shall be posted adjacent to the cashier's area.
22. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.
23. All servers of beer and wine must be at least 21 years of age.
24. There shall be no music or other noise audible beyond the restaurant premises.
25. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
26. The sale and serving of beer and wine for consumption outside the restaurant is prohibited.
27. The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation.

28. Food service shall be continuously provided during operating hours.
29. Beer and wine can only be sold to customers who also order food in the subject restaurant.
30. Not less than fifty-one percent of the income from the business enterprise shall be derived from the sale of food and non-alcoholic beverages. The business owner shall at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages. Said records shall be made available to the Los Angeles County Department of Regional Planning, the Department of Alcoholic Beverage Control, or the Los Angeles County Sheriff's Department on demand.
31. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
32. The placement of portable signs on sidewalks adjacent to the subject property is prohibited.
33. Temporary signs or banners advertising "specials" shall not be displayed on the exterior walls or fascia of building.
34. The permittee shall not advertise or hold any "happy hour" drink specials, "2 for 1" specials, or similar promotions.
35. The sale of beer and wine for on-site consumption shall be permitted only between the hours of 9:00 AM to 10:00 PM seven days a week.
36. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject restaurant or at any location on the subject property. No self-illuminating advertising for beer or wine shall be located on the exterior of the building or windows.
37. There shall be no loitering on the premises under the control of the permittee. Signage shall be posted on the premises prohibiting loitering. The signage shall be in English and in the predominate second language in the neighborhood.
38. The permittee shall not install video games, pool tables, or similar game activities or equipment on site.
39. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff or ABC investigator. The

restaurant manager and all employees of the restaurant shall be knowledgeable of the conditions herein.

40. Any areas of property that are publicly visible, including front yards, front sidewalks, and rear alleys, shall remain free of trash and other debris. Storage of household appliances, such as refrigerators, stoves, freezers, and similar products, is prohibited in all yard areas.
41. Black or other similar dark color shall not be used as the primary or base color for any wall or structure.



Los Angeles County  
Department of Regional Planning  
Planning for the Challenges Ahead



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The requested use at the location will not affect the health, peace, comfort, and welfare of people residing or working in area because this is an existing restaurant surrounded by other restaurants and retail stores. A previous Conditional Use Permit for this area (location) has expired and we are reapplying for the permit. The location has a parking lot in the rear which will not impact neighbors. Also the noise level will not impact the neighbors negatively because it's an indoor restaurant.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed site is adequate in size and shape to accommodate parking, loading facilities, and fences. This location has 2,600 square feet available for parking and the restaurant uses 1,335 square feet of the actual building. The total lot area of restaurant is around 4000 square feet. The Restaurant has access from the main street in front and from the rear parking lot.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The location of the restaurant is adequately served by the primary street Central Avenue, which has 2 lanes going North and 2 lanes going South. A sidewalk is provided on both sides of Central Ave for pedestrians. Also a parking lot in rear of restaurant is provided for customers and loading and unloading as well as parking in front of restaurant on Central Avenue.



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



## ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:  
(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): \_\_\_\_\_ (e.g. Type 20, Type 41)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

The requested use at the proposed location will not affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within 600-foot radius because they are not near the radius limit.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity to not adversely affect area discussed because the location is surrounded by commercial buildings and has its own parking, which will not affect residential parking.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

Our request for this permit is for alcohol on-site consumption and not for off-site consumption. So no shelf space is required for this permit of on-site consumption.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The requested use at the proposed location will not affect the economic welfare of the surrounding community because the owner will be responsible for the proposed location expenses.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The exterior appearance of the structure will not be inconsistent with the exterior appearance of existing buildings because the proposed location is already existing. The property values within the neighborhood will not be affected because everything is already existing.



*Erroy D. Baca, Sheriff*

*County of Los Angeles*  
**Sheriff's Department Headquarters**

*4700 Ramona Boulevard  
Monterey Park, California 91754-2169*



**Subject:** Conditional Use Permit (CUP) Consultation for Sale of Alcohol  
**Project No.:** R2013-02145  
**Permit No.:** 201300110  
**Establishment:** El Corita Restaurant  
**Location:** 6606 Central Avenue  
**Description:** Consultation for beer and wine license

**(1) Summary of service calls and crime history for the project site over the last five years:**

Please provide a summary of service calls and crime history for the project site over the last five years. Provide the total number of service calls, and summarize the types of calls (violent crimes by type, property crimes by type, other activities, etc.). When providing a CFS (Call for Service)/Incident Event report, please provide a redacted version. (These documents are kept in our case files and are subject to public records act requests.)

*Century Sheriff's Station has responded to four calls for service at 6606 South Central Avenue, Los Angeles, in the past five years; one call for bothering customers, two calls for found children within the location, and one call in which a suspect was arrested for assault with a deadly weapon on a peace officer. Attached is the CFS report of those calls for your review.*


**(2) Comments/recommended conditions:**

Please provide any comments or recommend conditions of approval you feel are necessary to maintain public safety at the project site.

*Three calls for service have been routine in nature, one was violence toward a peace officer in 2008. This establishment has not been a recent problem.*

**(3) Overall recommendation:**

- ☒ Sheriff recommends approval of this CUP.
- ☐ Sheriff does **NOT** recommend approval of this CUP.

  
Captain Joseph M. Gooden  
Unit Commander  
Century Sheriff's Station

*A Tradition of Service Since 1850*

**Summary of Service Calls for 6606 Central Avenue, Los Angeles**  
**"El Corita Restaurant"**

**Incidents at 6606 S Central from 1/1/07 – 9/23/13 involving "El Corita Restaurant"**

1. 08/24/2007; CFS Tag #225; contacted informant re his uncle being drunk, refusing to leave & bothering customers
2. 11/17/2007; CFS Tag #145; inf found minor child, unable to locate parents; contacted employee at loc who advised mother picked up child
3. 02/10/2008; 408-03020-2170-055; susp arrested for 245(D)(2)PC (ADW ON PEACE OFFICER) & other charges
4. 02/24/2008; CFS Tag #103; contact manager re 1-yr old child left at loc while mother uses laundromat, child has been left unattended several times at loc; all parties GPA UTL



## COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division  
Land Development Unit  
5823 Rickenbacker Road  
Commerce, California 90040-3027  
Office (323) 890-4243 Fax (323) 890-9783

DATE: November 20, 2013

SITE PLAN DATE: \_\_\_\_\_

TO: Department of Regional Planning  
Zoning Permits  
Jarod Nygren

PROJECT #: CUP R2013-02145

LOCATION: 6606 Central Ave, Los Angeles, 90001

- ☒ The Fire Department Land Development Unit has no additional requirements for this permit.
- ☐ The required fire flow for this development is \_\_\_\_\_ gallons per minute for \_\_\_\_\_ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. \_\_\_\_\_ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Install \_\_\_\_\_ public fire hydrant(s).  
Install \_\_\_\_\_ private on-site fire hydrant(s).  
Provide Fire Flow Test for \_\_\_\_\_ existing public fire hydrant(s).
- ☐ Water: \_\_\_\_\_
- ☐ Access: \_\_\_\_\_
- ☐ Conditions for Approval: \_\_\_\_\_
- ☐ Comments: \_\_\_\_\_

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: Juan C. Padilla

RESTAURANT  
EL CORITA JR.  
(323) 587-2505

MARISCOS  
ESTILO NAYARIT





TRAINING  
EXCLUSIVO  
PARA CLIENTES

# EL CORPITA Jr. RESTAURANT

